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*Attorneys for Defendant Corporation of the
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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

LAURA A. GADDY, individually and
on behalf of all others similarly
situated,

Plaintiffs,

v.

CORPORATION OF THE
PRESIDENT OF THE CHURCH OF
JESUS CHRIST OF LATTER-DAY
SAINTS, a Utah corporation sole,

Defendant.

**DEFENDANT'S SHORT FORM
MOTION TO STAY
DISCOVERY AND
SCHEDULING**

Case No. 2:19-cv-00554-RJS-DBP

The Honorable Robert J. Shelby
The Honorable Dustin B. Pead

Defendant Corporation of the President of The Church of Jesus Christ of Latter-day Saints (the "Church") moves pursuant to DUCivR 37-1(a) to stay all discovery and scheduling.

Ms. Gaddy is a former member of The Church of Jesus Christ of Latter-day Saints (the "Church"). Compl. ¶ 163. She alleges that she lost faith in the

Church’s “fundamental beliefs.” Compl. ¶¶ 53; 157-164. She now asks this Court to determine the “true history” of the Church and its “fundamental beliefs” by asserting various claims for fraud.

The Church moved to dismiss Ms. Gaddy’s complaint as barred by the First Amendment (the “Motion to Dismiss”). ([Docket 6](#)). As set forth fully in the Motion to Dismiss, the First Amendment prohibits the government—including the judiciary—from “interpreting and weighing church doctrine.” *Presbyterian Church v. Mary Elizabeth Blue Hull Mem’l Presbyterian Church*, 393 U.S. 440, 451 (1969). The Motion to Dismiss is not yet fully briefed.

On Tuesday, September 17, 2019, Ms. Gaddy filed a “Motion for Initial Scheduling Conference” ([Docket 14](#)) pursuant to Judge Furse’s “Order to Propose Schedule” ([Docket 4](#)). In that motion, Ms. Gaddy acknowledged that the parties disagreed regarding the propriety of discovery prior to resolution of the Motion to Dismiss. *Id.* On Sunday, September 22, 2019, Ms. Gaddy served discovery requests on the Church and indicated that she also intended to serve a subpoena on “Mark Naugle as owner of QuitMormon.”

On Monday, September 23, 2019, the Church filed its “Response to Plaintiff’s Motion for Initial Scheduling Conference.” That response details the communications between counsel and sets forth the Church’s position that all

discovery and scheduling issues should be stayed pending resolution of the Motion to Dismiss. As explained therein, the requested stay would prevent violation of the First Amendment, result in no prejudice to the plaintiff, and would preserve party and judicial resources. Accordingly, the Church requests that all discovery and scheduling (including the deadline for Ms. Gaddy to move for class certification) be stayed pending the determination of the Motion to Dismiss.

DATED: September 23, 2019.

STOEL RIVES LLP

/s/ David J. Jordan

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the President of The Church of Jesus
Christ of Latter-day Saints*